



09-10-02

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 98,723-E1)

In application of:

Juan Saus

Serial No.: 10/008,721

Filed: **December 7, 2001**

For: **TNF-Inducible Promoters And Methods**
For Using

Art Unit: 1645

Examiner: **To be assigned**

P.O. Box 2327
 Arlington, VA 22202

TRANSMITTAL LETTER

Sir:

1. We are transmitting herewith the attached papers for the above-identified patent application:

2.

- ☒ Notice of Missing Parts mailed July 31, 2002 (2 sheets);
- ☒ Response to Missing Parts (1 sheet);
- ☒ Executed Declaration and Power of Attorney (3 sheets);
- ☒ Formal Drawings Submission Form (1 sheets);
- ☒ Drawings (11 pages)
- ☒ Sequence Listing Compliance Statement under 37 C.F.R. 1.821 – 1.825 (1 sheets);
- ☒ Sequence Listing in Paper and Computer Readable Form (32 sheets);
- ☒ Return Receipt Postcard

2. ☒ The Commissioner is hereby authorized to charge our Deposit Account No. 13-2490 in the amount of \$65.00 for the Missing Parts Fee.

☐ Please charge the total filing fee of \$0.00 to our Deposit Account No. 13-2490.
 A duplicate copy of this sheet is enclosed.

3. **CERTIFICATE OF MAILING BY "EXPRESS MAIL" UNDER 37 CFR § 1.10:** The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as "Express Mail Post Office to Addressee" in an envelope addressed to: U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202, Box Missing Parts, on this 9th day of **September, 2002**. Express Mail No. **EL439218897US**.

By: _____

David S. Harper
 Registration No. 42,636



10008721.090902

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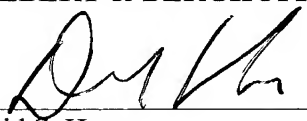
**RESPONSE TO THE NOTICE TO FILE
MISSING PARTS OF APPLICATION
MAILED JULY 31, 2002**

Sir:

In response to the notice to file missing parts of application mailed July 31, 2002, enclosed please find an executed Declaration and Power of Attorney, Formal Drawings and Sequence Listing in Paper and Computer Readable Format. The Commissioner is hereby authorized to charge our Deposit Account No. 13-2490 in the amount of \$65.00 for the missing parts fee.

Respectfully submitted,

**McDONNELL BOEHNEN
HULBERT & BERGHOFF**



David S. Harper
Reg. No. 42,636



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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D. C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/008,721	12/07/2001	Juan Saus	98,723-E1

20306
MCDONNELL BOEHNEN HULBERT & BERGHOFF
300 SOUTH WACKER DRIVE
SUITE 3200
CHICAGO, IL 60606

CONFIRMATION NO. 5105

FORMALITIES LETTER



OC00000008550041

Date Mailed: 07/31/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

09/11/2002 GWORDOF1 00000030 132490 10008721

01 FC:205

65.00 CH

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e));
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d) if applicant desires the

sequence listing in the instant application to be identical with that of another application on file in the U S Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

Items Required To Avoid Processing Delays:

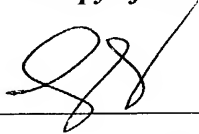
The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$65** for a Small Entity

- \$65 Late oath or declaration Surcharge.

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 98,723-E1)

In re Application of:

Juan Saus

Serial No.: 10/008,721

Filed: December 7, 2001

For: TNF-Inducible Promoters And Methods
For Using

P.O. Box 2327
Arlington, VA 22202

Box: Official Draftsman

Art Unit: 1645

Examiner: To be assigned

SUBMISSION OF FORMAL DRAWINGS

Dear Sir:

Applicant(s) enclose herewith 11 sheets of formal drawings and requests that the same be made of record in this application as a substitute for the informal drawings filed with the application on July 12, 2001.

The Assistant Commissioner is hereby authorized to charge any fees which may be required to Account No. 13-2490.

Respectfully submitted,

David S. Harper
Registration No. 42,636

Date:

9/5/02